

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

WILLIAM PAUL ALEXANDER,

Petitioner,

v.

No. CV 21-599 MV/CG

FNU LNU Warden,
C.N.M.C.F., and ATTORNEY
GENERAL FOR THE STATE OF
NEW MEXICO,

Respondents.

ORDER TO ANSWER

This matter is before the Court on Petitioner William Alexander's 28 U.S.C. § 2254 *Habeas Corpus Petition* ("Amended Petition"), (Doc. 7), filed July 20, 2021. Mr. Alexander challenges his state convictions based on, *inter alia*, sufficiency of the evidence and ineffective assistance of counsel. The Court, having reviewed the claims pursuant to Habeas Corpus Rule 4, will order an answer.

IT IS HEREBY ORDERED that the Clerk forward copies of this Order and the Amended Petition, (Doc. 7), to Respondent Attorney General of the State of New Mexico (the "Respondent") at the following address:

Attention F.N.
Paralegal - Habeas Corpus Administrator
New Mexico Office of the Attorney General
Criminal Appeals Division
201 Third St. NW, Suite 300, Albuquerque, NM 87102

IT IS FURTHER ORDERED that the Respondent must answer the Petition by **August 8, 2022**. The Respondent's answer must address the merits of each claim and whether the Mr. Alexander has exhausted his state court remedies. If the Petition is

mixed, and contains both exhausted and unexhausted claims, the Respondent should take a position on how to proceed (*i.e.* stay the case while Mr. Alexander exhausts all claims, overlook exhaustion and dismiss on the merits, delete the unexhausted claims, etc). The Respondent must attach to his answer copies of any filing pertinent to the issue of exhaustion that was filed by Mr. Alexander in the sentencing court, the state district court, the state court of appeals, and the state supreme court, together with copies of all memoranda filed by both parties in support of or in response to those filings. The Respondent must also attach to the answer copies of all state court post-conviction or appellate proceedings. The answer must describe the procedural history of each claim the Respondent contends is unexhausted and identify the State procedures that are currently available to Mr. Alexander.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'Carmen E. Garza', written over a horizontal line.

THE HONORABLE CARMEN E. GARZA
CHIEF UNITED STATES MAGISTRATE JUDGE